

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Modesto, California

November 2, 2010 at 10:00 a.m.

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. Matters resolved without oral argument:

Unless stated otherwise, the court will prepare a civil minute order on each matter listed. If the moving party wants a more specific order, it should submit a proposed amended order to the court. In the event a party wishes to submit such an Order it needs to be titled "Amended Civil Minute Order."

If the moving party has received a response or is aware of any reason, such as a settlement, that a response may not have been filed, the moving party must contact Nancy Williams, the Courtroom Deputy, at (916) 930-4580 at least one hour prior to the scheduled hearing.

2. The court will not continue any short cause evidentiary hearings scheduled below.

3. If a matter is denied or overruled without prejudice, the moving party may file a new motion or objection to claim with a new docket control number. The moving party may not simply re-notice the original motion.

4. If no disposition is set forth below, the matter will be heard as scheduled.

1.	10-90700-D-13G LAURA PASTORINO	HEARING - DEBTOR'S MOTION
	JCK #2	TO MODIFY DEBTOR'S CONFIRMED
		CHAPTER 13 PLAN
		9-21-10 [24]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

2. 10-91100-D-13G ROGER/GAYLE SCHMIDT
BAR #3

HEARING - MOTION TO
CONFIRM THIRD AMENDED
CHAPTER 13 PLAN
9-21-10 [50]

Final ruling: The moving parties failed to serve the chapter 13 trustee, failed to serve those creditors filing Claim Nos. 4 through 10 and 14 at the addresses on their proofs of claim, and failed to serve the party requesting special notice at DN 44 at its designated address, as required by FRBP 2002(g). (It appears pages may be missing from the proof of service as filed with the court; it is the moving parties' responsibility to verify an accurate version has been filed so it may be assessed by the court.) For these reasons the court will deny the motion by minute order. No appearance is necessary.

3. 10-91400-D-13G SALATIEL/ALBA CARRANCO
FW #2

HEARING - MOTION
TO MODIFY DEBTORS' CONFIRMED
CHAPTER 13 PLAN
9-22-10 [27]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

4. 10-90501-D-13G MAYNORD/JOYCE FREEMAN
FW #1

HEARING - MOTION TO
VALUE COLLATERAL HELD BY
BAC HOME LOAN SERVICING,
LP (2ND DOT)
9-24-10 [28]

Final ruling: The motion has been resolved by stipulation and order entered October 21, 2010. As such, the matter is removed from calendar. No appearance is necessary.

5. 10-92802-D-13G THOMAS/PAULA CRIST
TAW #5

HEARING - MOTION TO
CONFIRM 1ST AMENDED
CHAPTER 13 PLAN
9-20-10 [23]

6. 10-93603-D-13G ARCHIE/VICKIE SHAFFER
FW #1

HEARING - MOTION TO
VALUE COLLATERAL HELD BY
BAC HOME LOAN SERVICING
(2ND DOT)
9-22-10 [13]

Final ruling: The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of BAC Home Loan Servicing at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of BAC Home Loan Servicing's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

7. 10-93603-D-13G ARCHIE/VICKIE SHAFFER
FW #2

HEARING - MOTION TO
VALUE COLLATERAL HELD BY
DELL FINANCIAL SERVICES
9-22-10 [9]

Final ruling: The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant the motion and, for purposes of this motion only, sets the creditor's secured claim in the amount set forth in the motion. Moving party is to submit an order which provides that the creditor's secured claim is in the amount set forth in the motion. No further relief is being afforded. No appearance is necessary.

8. 10-92604-D-13G FRANCISCO/LORENA MORA
PR #1

HEARING - MOTION TO
VALUE COLLATERAL OF BANK
OF AMERICA, SECOND POSITION
9-27-10 [20]

Final ruling: The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Bank of America at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Bank of America's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

9. 10-92604-D-13G FRANCISCO/LORENA MORA
PR #2

HEARING - MOTION TO
CONFIRM THE CHAPTER 13 PLAN
9-27-10 [24]

Motion withdrawn by moving party. Matter removed from calendar.

10. 10-90006-D-13G JOSE/PATRICIA VILICANA
FW #3

HEARING - MOTION TO
MODIFY DEBTORS' CONFIRMED
CHAPTER 13 PLAN
9-27-10 [44]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

11. 07-90207-D-13G INACIO/MARIA MARTINS
FW #2

HEARING - MOTION
TO OBTAIN DISCHARGE
9-13-10 [49]

Final ruling: The matter is resolved without oral argument. The court finds that there is no reasonable cause to believe that Bankruptcy Code § 522(q)(1) is applicable to the debtor, nor is there reasonable cause to believe there is pending any proceeding in which the debtor may be found guilty of a felony of the kind described in § 522(q)(1)(A), or liable for a debt described in § 522(q)(1)(B). Accordingly, the court will issue a minute order authorizing the clerk to enter the debtors' discharge in this case. No appearance is necessary.

12. 09-91108-D-13G JENNIFER BACKMAN
CJY #1

HEARING - DEBTOR'S MOTION
TO CONFIRM FIRST MODIFIED
CHAPTER 13 PLAN
9-21-10 [28]

Final ruling: The motion is denied for the following reasons: (1) the moving parties failed to serve several creditors listed on their E- and F-schedules who have not filed proofs of claim, as required by FRBP 2002(g)(2) and (a)(5) (counsel should note that Rule 2002(a)(5) is not limited to creditors who have filed proofs of claim); (2) the moving parties failed to serve the creditor filing Claim No. 4 at the address on its proof of claim, as required by FRBP 2002(g)(1) (counsel should note that the name and address on the court's claims register are incorrect). For these reasons the court will deny the motion by minute order. No appearance is necessary.

13. 10-93308-D-13G KENTON/KRISTIE MILLER
SDM #1

HEARING - MOTION TO
VALUE COLLATERAL HELD BY
BAC HOME LOANS (2ND DOT)
9-13-10 [14]

Final ruling: The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of BAC Home Loan Servicing at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of BAC Home Loan Servicing's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

14. 09-92809-D-13G ROBERTO RENTERIA AND HEARING - MOTION TO
FW #4 MARTHA BALLESTEROS MODIFY DEBTORS' CONFIRMED
CHAPTER 13 PLAN
9-27-10 [51]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

15. 10-92612-D-13G HERCULES/LOURDES BALAOING HEARING - MOTION TO
RK #1 CONFIRM DEBTORS' 1ST AMENDED
CHAPTER 13 PLAN
9-11-10 [27]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

16. 10-93512-D-13G ADOLFO GONZALEZ AND HEARING - MOTION TO
TOG #1 MARIA GALLEGOS VALUE COLLATERAL (NOTE AND
SECOND MORTGAGE HELD BY
CITY OF TURLOCK)
9-23-10 [10]

Final ruling: The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of City of Turlock at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of City of Turlock's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

17. 10-93512-D-13G ADOLFO GONZALEZ AND HEARING - MOTION TO
TOG #2 MARIA GALLEGOS VALUE COLLATERAL (NOTE AND
THIRD MORTGAGE HELD BY CHASE
HOME FINANCE)
9-23-10 [15]

Final ruling: The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Chase Home Finance at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Chase Home Finance's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

18. 10-90915-D-13G BARBARA PIMENTAL
FW #3

HEARING - MOTION TO
MODIFY DEBTOR'S CONFIRMED
CHAPTER 13 PLAN
9-28-10 [43]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

19. 08-92416-D-13G BRENDA WILLIAMS
FW #2

HEARING - MOTION TO
MODIFY DEBTOR'S CONFIRMED
CHAPTER 13 PLAN
9-28-10 [42]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

20. 09-91616-D-13G RICHARD/MAGDALENA HICKS
FW #3

HEARING - MOTION TO
MODIFY DEBTORS' CONFIRMED
CHAPTER 13 PLAN
9-14-10 [45]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

21. 10-92517-D-13G JOSE ANGUIANO AND
TOG #3 ANA HERNANDEZ

HEARING - MOTION TO
CONFIRM THE SECOND AMENDED
CHAPTER 13 PLAN OF DEBTORS
9-10-10 [43]

22. 10-93018-D-13G ROBERT/LUCY MOURA
FW #3

HEARING - MOTION TO
CONFIRM FIRST AMENDED
CHAPTER 13 PLAN
9-14-10 [24]

Motion withdrawn by moving party. Matter removed from calendar.

23. 07-90320-D-13G GRADY TUNNELL
FW #1

HEARING - MOTION TO
OBTAIN DISCHARGE
9-27-10 [23]

Final ruling: The matter is resolved without oral argument. The court finds that there is no reasonable cause to believe that Bankruptcy Code § 522(q) (1) is applicable to the debtor, nor is there reasonable cause to believe there is pending any proceeding in which the debtor may be found guilty of a felony of the kind described in § 522(q) (1) (A), or liable for a debt described in § 522(q) (1) (B). Accordingly, the court will issue a minute order authorizing the clerk to enter the debtor's discharge in this case. No appearance is necessary.

24. 10-93520-D-13G JAMES DUFFY
DN #1

HEARING - MOTION
TO VALUE COLLATERAL OF
CREDITOR FINANCIAL CENTER
CREDIT UNION
10-5-10 [13]

Final ruling: The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant the motion and, for purposes of this motion only, sets the creditor's secured claim in the amount set forth in the motion. Moving party is to submit an order which provides that the creditor's secured claim is in the amount set forth in the motion. No further relief is being afforded. No appearance is necessary.

25. 07-90321-D-13G THERESA SEARLES
FW #2

HEARING - MOTION TO
OBTAIN DISCHARGE
9-27-10 [41]

Final ruling: The matter is resolved without oral argument. The court finds that there is no reasonable cause to believe that Bankruptcy Code § 522(q) (1) is applicable to the debtor, nor is there reasonable cause to believe there is pending any proceeding in which the debtor may be found guilty of a felony of the kind described in § 522(q) (1) (A), or liable for a debt described in § 522(q) (1) (B). Accordingly, the court will issue a minute order authorizing the clerk to enter the debtor's discharge in this case. No appearance is necessary.

26. 10-90523-D-13G DAVID/JOSEPHINE RANEY
FW #1

HEARING - MOTION TO
VALUE COLLATERAL HELD BY
UMPQUA BANK (2ND DOT)
9-24-10 [23]

Final ruling: The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Umpqua Bank at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Umpqua Bank's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

27. 10-90523-D-13G DAVID/JOSEPHINE RANEY
FW #2

HEARING - MOTION TO
VALUE COLLATERAL HELD BY
UMPQUA BANK (3RD DOT)
9-24-10 [27]

Final ruling: The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Umpqua Bank at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Umpqua Bank's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

28. 10-93225-D-13G MATTHEW/RACHELLE GARDETTE
CNR #1

HEARING - OBJECTION TO
CONFIRMATION OF CHAPTER 13
PLAN BY BAC HOME LOANS
SERVICING, L.P.
9-27-10 [21]

Final ruling: Objection overruled as moot. Debtors filed an amended plan on September 30, 2010 making this objection moot. As a result the court will overrule the objection without prejudice by minute order. No appearance is necessary.

29. 10-93626-D-13G DAVID/TERESA VERISSIMO
FW #1

HEARING - MOTION TO
VALUE COLLATERAL HELD
BY GE MONEY
9-22-10 [11]

Final ruling: The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant the motion and, for purposes of this motion only, sets the creditor's secured claim in the amount set forth in the motion. Moving party is to submit an order which provides that the creditor's secured claim is in the amount set forth in the motion. No further relief is being afforded. No appearance is necessary.

30. 10-91527-D-13G PEDRO CASANOVA
TOG #4

HEARING - MOTION TO
CONFIRM THE FIRST AMENDED
CHAPTER 13 PLAN OF DEBTOR
9-13-10 [46]

31. 06-90839-D-13G WILLIAM/KELLY SEARS
JJH #1
JP MORGAN CHASE BANK, N.A., VS.

HEARING - MOTION TO
RESTORE MOTION FOR RELIEF FROM
AUTOMATIC STAY TO CALENDAR FOR
FURTHER CONSIDERATION
9-30-10 [239]

Final ruling: This matter is resolved without oral argument. This is JP Morgan Chase Bank's motion for relief from automatic stay. The court records indicate that no timely opposition has been filed. The motion along with the supporting pleadings demonstrate that there is no equity in the subject property and the property is not necessary for an effective reorganization. Accordingly, the court finds there is cause for granting relief from stay. The court will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.

32. 10-90042-D-13G GEORGE/KELLY CERNY
FW #5

HEARING - MOTION TO
MODIFY DEBTORS' CONFIRMED
CHAPTER 13 PLAN
9-17-10 [66]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

33. 09-90545-D-13G JOHN/KIMBERLY HIEMSTRA
RLB #4

HEARING - MOTION
TO CONFIRM MODIFIED
CHAPTER 13 PLAN
9-20-10 [49]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

34. 10-92545-D-13G CARLO/SARAH CANTO
RDG #1

CONT. HEARING - OBJECTION
TO CONFIRMATION OF PLAN
BY TRUSTEE
8-25-10 [23]

Objection withdrawn by moving party. Matter removed from calendar.

35. 09-94247-D-13G LAWRENCE/WENDY BOLDON
FW #11

HEARING - MOTION TO
CONFIRM THIRD AMENDED
CHAPTER 13 PLAN
9-13-10 [122]

36. 10-90647-D-13G THOMAS/MARTINA VILLANUEVA
TOG #3

HEARING - MOTION
TO CONFIRM THE CHAPTER 13
PLAN OF DEBTORS
9-8-10 [50]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

37. 10-91548-D-13G WENDY VASQUEZ
LRR #3

HEARING - MOTION
TO CONFIRM CHAPTER 13 PLAN
9-21-10 [32]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

38. 10-91854-D-13G MICHAEL ELLIOTT
LRR #3

HEARING - MOTION TO
CONFIRM CHAPTER 13 PLAN
9-21-10 [44]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

39. 10-90856-D-13G ROGER/BRENDA CLARK
SDM #3

HEARING - MOTION
TO VACATE ORDER DISMISSING
CHAPTER 13 CASE
9-7-10 [65]

Final ruling:

The motion states that this case was dismissed because the debtors failed to confirm a chapter 13 plan, that they have since asked to convert this case to a chapter 7 case, and that they have concurrently filed a motion to convert this case to chapter 7. The debtors request that the order dismissing the case be vacated to enable them to convert the case to chapter 7 and obtain a discharge.

In their supporting declaration, the debtors acknowledge that they did fail to confirm a plan, that they do, however, qualify for relief under chapter 7, and that they request the case be converted to chapter 7 so they may receive a discharge.

Because the debtors have failed to allege any ground justifying relief from the order dismissing the case, as required under FRCP 60(a) or (b) (FRBP 9024), the court will deny the motion by minute order. No appearance is required.

40. 06-90857-D-13G JOHN GARCIA
CJY #3

HEARING - MOTION TO
OBTAIN DISCHARGE
9-28-10 [52]

Final ruling: The matter is resolved without oral argument. The court finds that there is no reasonable cause to believe that Bankruptcy Code § 522(q)(1) is applicable to the debtor, nor is there reasonable cause to believe there is pending any proceeding in which the debtor may be found guilty of a felony of the kind described in § 522(q)(1)(A), or liable for a debt described in § 522(q)(1)(B). Accordingly, the court will issue a minute order authorizing the clerk to enter the debtor's discharge in this case. No appearance is necessary.

41. 10-91157-D-13G RONALD JONES AND HEARING - MOTION TO
TOG #2 KATHLEEN HEALY CONFIRM THE FIRST AMENDED
CHAPTER 13 PLAN OF DEBTOR
9-10-10 [44]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

42. 08-92659-D-13G MARIO/CONNIE RUELAS HEARING - MOTION FOR
RDW #2 RELIEF FROM AUTOMATIC STAY
AMERICAN GENERAL FINANCIAL 10-5-10 [108]
SERVICES, INC., VS.

43. 10-90361-D-13G RONALD/DARLENE BOGDON HEARING - MOTION TO
FW #4 MODIFY DEBTORS' CONFIRMED
CHAPTER 13 PLAN
9-22-10 [50]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

44. 10-91261-D-13G ANTONIO/LETICIA SANTILLAN HEARING - MOTION TO
TOG #5 CONFIRM THE THIRD AMENDED
CHAPTER 13 PLAN OF DEBTORS
9-14-10 [95]

Tentative ruling:

The debtors have previously obtained an order valuing the claim of CitiMortgage, secured by a second deed of trust on their residence at 912 Roselawn Ave., Modesto, at \$0, and that claim is classified in Class 2 of the proposed plan. However, the holder of the first on the same property, Aurora Loan Services, is classified in Class 3, collateral to be surrendered. If the debtors are proposing to surrender the property, CitiMortgage should also be listed in Class 3 so that it, like Aurora Loan Services, will have relief from stay upon confirmation of the plan. Thus, unless CitiMortgage is put into Class 3, the court intends to deny the motion.

The court will hear the matter.

45. 09-93962-D-13G DINA HUELSENBECK
FW #2

HEARING - MOTION TO
MODIFY DEBTOR'S CONFIRMED
CHAPTER 13 PLAN
9-17-10 [29]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

46. 10-92664-D-13G HENRY/CHERYL PETRINO
BSH #2

CONT. HEARING - OBJECTION
TO CONFIRMATION OF CHAPTER 13
PLAN AND TO THE MOTION TO
VALUE COLLATERAL BY WELLS
FARGO FINANCIAL
8-17-10 [21]

Final ruling: The objection has been resolved by stipulation. Matter removed from calendar. No appearance is necessary.

47. 10-91265-D-13G JOSE CARDENAS
FW #1

HEARING - MOTION TO
VALUE COLLATERAL HELD BY
BANK OF AMERICA (2ND DOT)
9-24-10 [22]

Final ruling: The matter is resolved without oral argument. This is the debtor's motion to value the secured claim of Bank of America at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtor's residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Bank of America's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

48. 08-90068-D-13G RICHARD/HOLLY MATRANGA
FW #5

HEARING - MOTION TO
MODIFY DEBTORS' CONFIRMED
CHAPTER 13 PLAN
9-21-10 [73]

49. 10-92668-D-13G MICHAEL/JOSEFINA GORMAN HEARING - MOTION
JLS #2 TO CONFIRM 1ST AMENDED
CHAPTER 13 PLAN
9-15-10 [23]

50. 10-93471-D-13G VICTOR/MIRELLA MAGALLON HEARING - MOTION TO
VHM #1 VALUE COLLATERAL HELD BY
CHASE BANK (2ND DOT)
9-15-10 [15]

Final ruling: The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Chase Bank at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Chase Bank's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

51. 10-93182-D-13G NICK/PATRICIA FLORES HEARING - OBJECTION
RDG #1 TO CONFIRMATION OF PLAN
BY TRUSTEE
10-6-10 [28]

52. 10-93182-D-13G NICK/PATRICIA FLORES HEARING - OPPOSITION TO
TPH #2 MOTION TO VALUE COLLATERAL
OF AMERICREDIT FINANCIAL
SERVICES, INC.
9-23-10 [22]

53. 10-93482-D-13G NICOLAS/JOVITA MARQUEZ
TOG #1

HEARING - MOTION TO
VALUE COLLATERAL-(NOTE AND
SECOND MORTGAGE HELD BY BANK
OF AMERICA)
9-15-10 [10]

Final ruling: The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Bank of America at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Bank of America's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

54. 10-90483-D-13G RICHARD/JUDY ODELL
FW #1

HEARING - MOTION TO
VALUE COLLATERAL HELD BY
CITIMORTGAGE, INC. (2ND DOT)
9-24-10 [26]

Tentative ruling: According to a proof of claim filed several months before this motion, this claim is held by CitiCorp Trust Bank, fsb; however, the motion does not mention this entity and this entity was not served. Thus, the motion will be denied. The court will hear the matter.

55. 08-91785-D-13G ELAINE SCHNEIDER
FW #7

HEARING - MOTION TO
MODIFY DEBTOR'S CONFIRMED
CHAPTER 13 PLAN
9-28-10 [75]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

56. 10-92386-D-13G ARTURO/ESTHELA BARON
TOG #2

HEARING - MOTION TO
CONFIRM THE FIRST AMENDED
CHAPTER 13 PLAN OF DEBTORS
9-16-10 [41]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

57. 10-93588-D-13G JIMMY/JESSICA LOUIS
FW #1

HEARING - MOTION TO
VALUE COLLATERAL HELD BY
CHASE HOME FINANCE, LLC
(2ND DOT)
9-16-10 [10]

Final ruling: The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Chase Home Finance at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Chase Home Finance's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

58. 10-93589-D-13G RANDY ESENWEIN AND
FW #1 JANET PIERSON

HEARING - MOTION TO
VALUE COLLATERAL HELD BY
WELLS FARGO (2ND DOT)
9-16-10 [10]

Final ruling: The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Wells Fargo at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Wells Fargo's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

59. 10-93592-D-13G PRAKASH GOSAI
FW #1

HEARING - MOTION TO
VALUE COLLATERAL HELD BY
BANK OF AMERICA (2ND DOT)
9-16-10 [10]

Final ruling: The matter is resolved without oral argument. This is the debtor's motion to value the secured claim of Bank of America at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtor's residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Bank of America's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

60. 09-93694-D-13G DELLA TIWATER
FW #3

HEARING - MOTION TO
MODIFY DEBTOR'S CONFIRMED
CHAPTER 13 PLAN
9-27-10 [32]

Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

61.	09-94299-D-13G JCK #3	DARREL WILLIAMS AND CHERYL PETERS	HEARING - DEBTORS' MOTION TO MODIFY CONFIRMED CHAPTER 13 PLAN 9-21-10 [50]
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Final ruling: The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

62.	10-90123-D-13G RLB #1	CHRISTOPHER/MONIQUE MARTIN	HEARING - MOTION TO APPROVE LOAN MODIFICATION 10-18-10 [25]
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63.	09-92624-D-13G TOG #4	GARY/BONNIE THOMAS	HEARING - MOTION TO APPROVE LOAN MODIFICATION 10-11-10 [73]
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64.	10-91527-D-13G PD #1 CITIBANK, N.A., VS.	PEDRO CASANOVA	CONT. HEARING - MOTION FOR RELIEF FROM AUTOMATIC STAY 9-24-10 [53]
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65. 10-93236-D-13G GREGORY/JANICE ANDERSON
PD #1

HEARING - OBJECTION TO
CONFIRMATION OF PLAN BY
WELLS FARGO BANK, N.A.
10-12-10 [22]

66. 10-93258-D-13G RICHARD WATERS
RDG #2

HEARING - OBJECTION
TO CONFIRMATION OF PLAN
BY TRUSTEE
10-13-10 [22]

Final ruling: Objection overruled as moot. Debtor filed an amended plan on October 26, 2010 making this objection moot. As a result the court will overrule the objection without prejudice by minute order. No appearance is necessary.

67. 09-92259-D-11 KAL/DEBORAH KIRKLE

STATUS CONFERENCE
7-21-10 [1]

68. 10-93196-D-13G LARRY CROSS
RDG #1

HEARING - OBJECTION
TO CONFIRMATION OF PLAN
BY TRUSTEE
10-13-10 [28]

69. 10-92698-D-13G KAMLESHWAR/KUSMA PRASAD
TOG #2

CONT. HEARING - MOTION TO
VALUE COLLATERAL-(NOTE AND
SECOND MORTGAGE HELD BY
WELLS FARGO BANK)
9-8-10 [19]

Final ruling: The hearing on this motion was continued to this date to allow the moving parties to file a corrected proof of service. Instead, they have filed a new motion, DC No. TOG-3, Item 70 below. Thus, this motion will be denied as moot. The court will issue a minute order. No appearance is necessary.

70. 10-92698-D-13G KAMLESHWAR/KUSMA PRASAD
TOG #3

HEARING - MOTION TO
VALUE COLLATERAL-(NOTE AND
SECOND MORTGAGE HELD BY WELLS
FARGO BANK)
10-19-10 [30]

Tentative ruling:

The notice of hearing on this motion purports to require written opposition 14 days prior to the hearing date. However, the motion was served with only 14 days' notice. The court will hear this matter as if it were noticed under LBR 9014-1(f)(2).